

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- September 14, 1966

Appeal No. 8921 Fairlawn Amusement Co., Inc., appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on September 20, 1966.

EFFECTIVE DATE OF ORDER -- Oct. 14, 1966

ORDERED:

That the appeal for permission to provide accessory auto parking at 1400-1416 U Street, SE., lots 343-345 inclusive, 806, 808, 810, 811, 812, 339 and 340, Square 5767 to serve proposed retail food store located on the southeast corner of 14th Street and Good Hope Road, SE., be conditionally granted.

FINDINGS OF FACT:

(1) The subject property is located in an R-5-A District and abuts an area zoned C-2.

(2) It is proposed to erect a retail grocery store on the land zoned C-2.

(3) The areas of the store and parking lot will be 19,304 square feet and 27,756 square feet, respectively.

(4) The parking lot will accommodate 87 automobiles.

(5) The subject property is now being operated as a parking lot for a motion picture theater by Order of the Board of Zoning Adjustment issued August 20, 1963 in Appeal No. 7370.

(6) The parking is required by the Regulations to support the use of the adjacent property as a grocery store.

(7) The Department of Highways and Traffic offers no objection to the granting of this appeal.

(8) No opposition to this appeal was registered at the public hearing.

OPINION:

The Board is of the opinion that the granting of this appeal, subject to the conditions hereinafter set forth, is in harmony with the general purpose and intent of the Zoning Regulations and Maps and will not tend to affect adversely the uses of the surrounding neighborhood.

This Order is subject to compliance with the following conditions:

- (a) All areas devoted to driveways, access lanes and parking areas shall be paved with an all-weather impervious surface and properly drained.
- (b) If the lot is to be lighted, it shall be done with lights so arranged that they will cause no glare into adjoining property.
- (c) The lots shall be so designed that no vehicle or any part thereof shall project over public space.
- (d) Appellant shall provide a covenant running with the land which will require this entire parking area to be maintained as such so long as the property at the southeast corner of the intersection of Good Hope Road and 14th Street, SE. is used as a retail grocery store except that such covenant shall not be required if the property is subdivided so as to place all of the property into one recorded lot.
- (e) The Board of Zoning Adjustment reserves the right to direct revocation of any occupancy permit upon a showing that the terms and conditions of this Order have been violated.